

PROB 12B
(Rev. D/NM-5/03)

**UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF NEW MEXICO**

FILED
At Albuquerque NM
MAY 26 2009
MATTHEW J. DYKMAN
CLERK

**Request for Modifying the Conditions or Term of Supervision
With the Consent of the Offender**

Name of Offender: Raymond Sandoval
Docket Number: 1:03CR00271-001LH
Assigned Judge: Honorable C. Leroy Hansen, Senior United States District Judge
Date of Original Sentence: 10/07/2003
Original Offense: 18 U.S.C. Sec. 1361 - Willfully Injuring the Property of the United States
Original Sentence: BOP: 84 months; TSR: 36 months
Date Supervision Commenced: 03/19/2009
Date Supervision Expires: 03/18/2012
Other Court Action: None

PETITIONING THE COURT

U.S. Probation Officer Shawn Day is petitioning the Court:

To modify the conditions of supervision as follows:

Special Condition - "The defendant shall reside at and complete a program at a community corrections center for a period of up to 6 months as approved by the probation officer."

JUSTIFICATION


On March 19, 2009, the defendant was released from the custody of the Bureau of Prison and commenced his 3 year term of supervised release. As the defendant has no community or family ties, he was immediately placed at the Dismas halfway house. As a requirement of the Dismas halfway house, residents are required to pay \$300 rent monthly. On May 15, 2009, the defendant was terminated from Dismas halfway house for non-payment of rent. The defendant is currently homeless and residing at a local homeless shelter.

The defendant has been diagnosed with bipolar disorder and schizoaffective disorder. Due to his mental illness, he is prescribed Geodone (anti-psychotic, mood stabilizer medication), Tegretol (to treat side effects of other medications), doxapin (anti-depressant, anti-anxiety medication), Cymbalta (anti-depressant medication), and Ambien (sleeping aid). The defendant has applied for Social Security Disability benefits due to his mental illness. He has been referred to the United States Employment program, but as of this writing, he has been unable to obtain employment. Due to his lack of employment, mental illness, community support, and lack of financial means, he has not been able to secure a stable residence. Placement at Diersen Charities community corrections center will provide the defendant an opportunity to obtain employment and other community resources.

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable changes may be made in my conditions of supervision or my period of supervision being extended. I also understand that I have the right to request the Court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing. I also agree to the above modifications of my conditions of supervision or to the proposed extension of my term of supervision.

Witness:


Shawn Day

Title: United States Probation Officer

Date: 5/21/09

FLOYD LOPEZ
Attorney ☒ Phone Approval

Date: 5/21/09

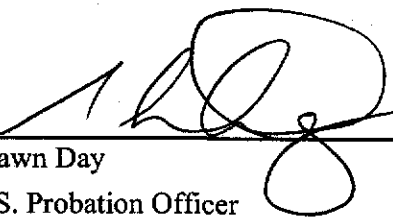
Signed:

Raymond Sandoral
Probationer or Supervised Releasee

Date: 5/21/09

I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 21, 2009.


Shawn Day
U.S. Probation Officer

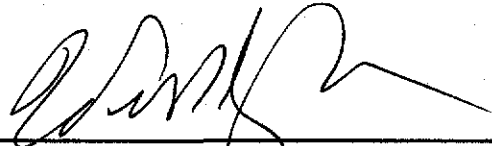
Approved by:

Dean Johnson
Dean Johnson
Supervising U.S. Probation Officer

THE COURT ORDERS:

- ☒ The conditions of supervision be modified as noted above and made a part of the record.
☐ The term of supervision is extended as noted above and made a part of the record.
☐ That a hearing be scheduled and that the defendant appear before the Court for a hearing to consider modification.
☐ Other:

Considered this 5/26 day of
 , 2009 and made a part
of the record in the above case.



Signature of Judicial Officer